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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

MARY M. FRANCIS, individually and
the ESTATE OF JOHN C. FRANCIS,
acting through its personal
representative, MARY M. FRANCIS

Plaintiffs,

vs.

UNITED STATES OF AMERICA,

Defendant.

CASE NO. CV-08-0141-BTM-POR

NOTICE OF DISMISSAL

COME NOW the Plaintiffs by and through their undersigned counsel of record,
and pursuant to Rule 41(a)(1)(A) F.R.C.P. hereby voluntarily dismiss their action against
the Defendant, without prejudice, on the grounds that there is presently pending a case

NOTICE OF DISMISSAL - I
Notice of Dismissal.wpd/wc

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2 against the United States in this Court pertaining to the same subject matter under the
3 assigned Case No. 07-CV-408 DMS(POR).

4 DATED this 28th day of May, 2008.

5 **LOJEK LAW OFFICES, CHTD.**

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7 By: /s/ Donald W. Lojek
8 Donald W. Lojek - Of the Firm
9 Attorneys for Plaintiffs
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